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DEPARTMENT OF STATE INSTRUCTION

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A-273, April 13, 1961

CITIZENSHIP AND PASSPORTS: Lee Harvey Oswald

The American Embassy MOSCOW

The Embassy's Dispatch No. 585 of February 26, 1961, concerning Lee Harvey Oswald has been studied with particular reference to the last two paragraphs thereof. Dispatch No. 659 of March 24, 1961 concerning him has also been noted.

If and when Mr. Oswald appears at the Embassy, he should be thoroughly questioned regarding the circumstances of his residence in the Soviet Union and his possible commitment of an act or acts of expatriation and, as contemplated by the Embassy, his statements should be taken under oath. If the Embassy is fully satisfied that he has not expatriated himself in any manner and if he presents evidence that he has arranged to depart from the Soviet Union to travel to the United States, his passport may be delivered to him on a personal basis only, after being rendered valid for direct return to the United States. For security reasons, the Department does not consider that it would be prudent for the Embassy to forward Oswald's passport to him by mail.

The Department is not in a position to advise Mr. Oswald whether upon his desired return to the United States he may be amenable to prosecution for any possible offenses committed in violation of the laws of the United States or the laws of any of its States.

The developments in the case of Mr. Oswald should be promptly reported. In particular, a report of his travel data should be submitted when the Embassy receives confirmation of his travel plans.

It may be added that Mrs. Marguerite Oswald has been informed of the address given by Mr. Oswald in his recent undated communication referred to in dispatch No. 585 and of his desire to return to the United States. She has also been appropriately informed in the light of Dispatch No. 659.

RUSK

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U. S. Defector